

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BECKLEY DIVISION**

JEFFREY DEAN LILLY,

Plaintiff,

v.

CIVIL ACTION NO. 5:15-cv-13712

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

**MEMORANDUM OPINION AND ORDER**

By *Standing Order* (Document 4) entered on October 7, 2015, this action was referred to the Honorable R. Clarke VanDervort, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636. Subsequently, by *Order* (Document 10) entered on January 5, 2016, the case was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission of proposed findings of fact and recommendation for disposition.


On June 17, 2016, Magistrate Judge Aboulhosn submitted a *Proposed Findings and Recommendation* (Document 14), wherein it is recommended that this Court grant the unopposed *Defendant's Motion for Remand* (Document 13), reverse or vacate the decision of the Commissioner, and remand the Plaintiff's case to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further proceedings as outlined in the unopposed motion.

Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by July 5, 2016, and none were filed by either party. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *see also Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983) (holding that districts courts may adopt proposed findings and recommendations without explanation in the absence of objections).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation*. The Court **ORDERS** that the *Defendant's Motion for Remand* (Document 13) be **GRANTED**, that the decision of the Commissioner be **VACATED**, and that the Plaintiff's case be **REMANDED** to the Commissioner for further proceedings as outlined in the unopposed motion. The Court further **ORDERS** that this matter be **DISMISSED** from the Court's docket.

The Court **DIRECTS** the Clerk to send a certified copy of this *Memorandum Opinion and Order* to Magistrate Judge Aboulhosn, to counsel of record, and to any unrepresented party.

ENTER: July 8, 2016

  
IRENE C. BERGER  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF WEST VIRGINIA